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13.08.1998.

Memorandum of Understanding
Between
The United Nations Office of the High Commissioner for Human Rights
And
The Government of the Republic of Indonesia
On the Mutual Agreement to
Cooperate in the Development and
Implementation of Comprehensive
Programmes for the Promotion and Protection
Of Human Rights in Indonesia

WHEREAS enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations;

WHEREAS pursuant to the United Nations General Assembly resolution 48/141, the High Commissioner for Human Rights has been mandated to pursue dialogue and to promote cooperation with the Governments of Member States in the promotion and protection of human rights;

WHEREAS pursuant to United Nations General Assembly resolution 926 (X) of 14 December 1955, the General Assembly established the United Nations programme of advisory services and technical cooperation in the field of human rights, whereby the United Nations Secretary General has been authorized to provide, at the request of Governments, various forms of assistance in the field of human rights;

WHEREAS the Government of Indonesia has officially launched a National Plan of Action in the field of human rights pursuant to the Vienna Declaration and Programme of Action, on 25 June 1998;

BEARING IN MIND the Memorandum of Intent between the United Nations High Commissioner for Human Rights/Centre for Human Rights and the Government of the Republic of Indonesia, on a mutual agreement to cooperate in the development and implementation of coherent and comprehensive national programmes for the promotion and protection of human rights in Indonesia, signed in Jakarta on 26 October 1994;

BEARING ALSO IN MIND the Framework of Regional Cooperation for the Asia/Pacific Region adopted in Teheran, Islamic Republic of Iran, on 2 March 1998,

NOW THEREFORE the United Nations Office of the High Commissioner for Human Rights (hereinafter referred to as the HCHR) and the Government of the Republic of Indonesia (hereinafter referred to as the Government) have mutually agreed on the following:

Article I

The HCHR shall co-operate with and assist the Government in the implementation of programmes of technical cooperation for Indonesia taking into account the priorities outlined in the Framework for Regional Technical Cooperation in the Asia/Pacific as specified in article II

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of this Memorandum. In order to be able to assess priority needs in the context of the implementation of the technical cooperation project, the personnel assigned to this project by HCHR will have access to all parts of Indonesia. This is understood to include facilitating access to East Timor.

Article II

1. The technical cooperation extended by the Office of the HCHR to the Government shall be in the following four broad areas of cooperation:

a. National plans of action for the promotion and protection of human rights and the strengthening of national capacities;

b. Human rights education;

c. National institutions for the promotion and protection of human rights;

d. Strategies for the realization of the right to development and economic, social and cultural rights.

2. Each area of cooperation shall be elaborated and implemented through detailed annual programmes to be determined on the basis of a national needs assessment and agreed upon by the two Parties under a sub-agreement to the Memorandum.

3. The programme of technical cooperation will include inter alia:

- Broad-based education on public information for respect of human rights;

- Teachers' training for human rights in formal education at secondary and senior high school level;

- Workshops for journalists and broadcasters on human rights and the mass media;

- Translating into local languages the International Bill of Rights;

- Providing the necessary basic information and knowledge needed for ratification of international human rights instruments;

- Human Rights fellowships to qualified nationals;

Article III

The implementing agencies of the aforementioned programmes shall be Government agencies and other relevant national institutions appointed by the Government. The Department of Foreign Affairs of the Republic of Indonesia shall act as the focal point for the Government

with which HCHR shall consult on each programme in detail.

Article IV

1. For the purpose of implementing the technical cooperation as stipulated in Article II of this Memorandum, both Parties agree on the assignment of a programme officer from HCHR to the UNDP Office in Jakarta.

2. While fulfilling his or her duties/functions, the programme officer shall not engage in activities other that those related to the implementation of the programme of technical cooperation agreed upon by both Parties referred to in Article II of this Memorandum.

3. The expenses incurred by the programme officer in the performance of his or her tasks shall be borne by HCHR.

Article V

A semi-annual report on the implementation of the programmes referred to in Article II of this Memorandum of Understanding shall be submitted to both HCHR and the Government.

Article VI

1. Any disagreement in the interpretation of the provisions of this Memorandum of Understanding which influences the implementation of agreed projects or activities will be settled by consultation or negotiation between HCHR and the Government.

2. Amendment to this Memorandum of Understanding can only be effected by written consent of HCHR and the Government after consultations between them.

Article VII

This Memorandum of Understanding shall be effective from the date HCHR and Government attach their respective signatures to it, and shall remain valid for the duration of two years. A renewal of this Memorandum may be effected through further negotiation between HCHR and the Government.

This Memorandum of Understanding may be terminated by either HCHR or the Government through written notice at least six months in advance of the intended termination date. In case this Memorandum of Understanding ceases to be in effect on account of such termination, the provisions on project elements referred to in Article II of the Memorandum shall continue to be in effect to the extent necessary to secure the completion of existing projects or activities as agreed upon.

IN WITNESS THEREOF the undersigned, duly appointed representatives of the United Nations Office of the High Commissioner for Human Rights and the Government of the Republic of Indonesia, respectively, sign the present Memorandum.

Done in duplicate in the English language at Geneva, this 13th of August 1998.

For the Government of the Republic of Indonesia

For the Office of the United Nations High Commissioner for Human Rights